

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MATTHEW WHITTEN,

Plaintiff,

vs.

CITY OF OMAHA, et al.,

Defendants.

8:15-CV-96

ORDER

This matter is before the Court on the Magistrate Judge's Findings and Recommendation ([filing 65](#)), recommending that the Court dismiss the plaintiff's case for want of prosecution. Neither party has objected. *See*, [28 U.S.C. § 636\(b\)\(1\)](#); [NECivR 72.2](#). When a party fails to timely object to the report and recommendation of a magistrate judge, the party waives its right to de novo review by the district court of any portion of the report and recommendation. *United States v. Wise*, [588 F.3d 531, 537 n.5 \(8th Cir. 2009\)](#).

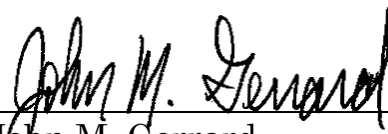
The Court finds that the Magistrate Judge's recommendation should be adopted and this case dismissed. Accordingly,

IT IS ORDERED:

1. The Magistrate Judge's Findings and Recommendation ([filing 65](#)) are adopted.
2. This case is dismissed.
3. A separate judgment will be entered.

Dated this 10th day of March, 2017.

BY THE COURT:

  
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John M. Gerrard  
United States District Judge